

Please add new Claims 13- 20 as follows:

- del 0.17
13. (New) A system for providing a figure of merit indicating a value for a member node of a partitioned network cluster to continue operating, the system comprising:
- a means for querying, by a management program, an application program executing on the partitioned network cluster for the figure of merit;
 - a means for determining, by the application program, the figure of merit; and
 - a means for returning the figure of merit from the application program to the management program.
14. (New) The system of Claim 13 wherein a means for determining the figure of merit includes:
- a means for assessing merit criteria for the member node.
- 6
15. (New) The system of Claim 14 wherein a means for assessing merit criteria includes:
- a means for determining a number of users executing the application program from the member node.
16. (New) The system of Claim 14 wherein a means for assessing merit criteria includes:
- a means for determining an execution priority of the application program.
17. (New) The system of Claim 13 wherein a means for querying the application program includes:
- a means for providing a proposed figure of merit.
18. (New) The system of Claim 17 wherein determining the figure of merit includes:
- a means for determining an alternate figure of merit derived by assessing merit criteria for the member node; and
 - a means for selecting between the proposed figure of merit and the alternate figure of merit.

19. (New) A method for providing a figure of merit indicating a value for a member node of a partitioned network cluster to continue operating, the method comprising:
- providing a proposed figure of merit from a management program to an application program executing on the partitioned network cluster;
 - querying, by the management program, the application program executing on the partitioned network cluster for the figure of merit;
 - assessing, by the application program, merit criteria for the figure of merit, wherein assessing merit criteria including:
 - determining a number of users executing the application program from the member node; and
 - determining an execution priority of the application program;
 - determining an alternate figure of merit derived by assessing the merit criteria;
 - selecting, by the application program, between the proposed figure of merit and the alternate figure of merit; and
 - returning the figure of merit from the application program to the management program.

20. (New) A method for resolving a partitioned computer network cluster including multiple cluster partitions, the method comprising:

evaluating a partition figure of merit for each cluster partition including:

providing, from a cluster manager executing on the member node, a proposed node figure of merit to an application program executing on the cluster partition;

requesting, from the application program, a node figure of merit, indicating a value to the application program for a member node, on which the application is executing, to continue operation;

assessing, by the application program, merit criteria for the member node, wherein assessing merit criteria including:

determining a number of users executing the application program from the member node; and

determining an execution priority of the application program;

determining, by the application program, an alternate node figure of merit derived by assessing the merit criteria for the member node;

selecting between the proposed node figure of merit and the alternate node figure of merit;

providing, from the application program, the requested node figure of merit; and

evaluating the provided node figure of merit to determine the partition figure of merit;

selecting, in response to the partition figure of merit, a cluster partition to operate as the network cluster; and

halting operation of the remaining cluster partitions.